



FACILITY COMPLIANCE INSPECTION REPORT

Division of Waste Management Solid Waste Section

UNIT TYPE:

| | | | | | | | | | | | | |
|--------------|----------|-----------------------|----------|---------------|----------|---------------------|----------|---------|--|------|--|---|
| Lined MSWLF | | LCID | | YW | | Transfer | X | Compost | | SLAS | | COUNTY: AVERY PERMIT NO.: 06-03 FILE TYPE: COMPLIANCE |
| Closed MSWLF | | HHW | | White goods | X | Incineration | | T&P | | FIRM | | |
| CDFL | X | Tire T&P / Collection | X | Tire Monofill | | Industrial Landfill | | DEMO | | SDTF | | |

Date of Site Inspection: 10/11/2012

Date of Last Inspection: 9/19/2011

FACILITY NAME AND ADDRESS

Avery Co. C&D Landfill
2175 Brushy Creek Rd. (SR-1011)
Spruce Pine, N.C.

GPS COORDINATES: (Decimal Degrees) N: 35.923027° E: -82.178.25°

FACILITY CONTACT NAME AND PHONE NUMBER:

Henry Norris – Avery County Solid Waste Director
(828) 737-5420 (Solid Waste Office)
Email: buddy.norris@averycountync.gov

Robert Wiseman – Avery County Manager
(828) 733-8201
Email: robert.wiseman@averycountync.gov

FACILITY CONTACT ADDRESS:

Avery County Solid Waste Department
175 Lineville Street
P.O. Box 640
Newland, N.C. 28657

AUDIT PARTICIPANTS:

Eric Foster – Solid Waste Assistant Director, Avery County
Shane Eggers – Landfill Supervisor, Avery County
Deb Aja, Solid Waste Section

STATUS OF PERMIT:

Active. On April 13, 2011, the Avery County Transfer Station (06-02T) was incorporated, by amendment, into the permit for the Avery County Construction & Demolition (C&D) Landfill (06-03). The Permit to Operate shall expire on April 13, 2016.

PURPOSE OF SITE VISIT:

Comprehensive Inspection.

STATUS OF PAST NOTED VIOLATIONS:

N/A.

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OBSERVED VIOLATIONS:

15A NCAC 13B .0203(d) states:

“By receiving solid waste at a permitted facility, the permittee(s) shall be considered to have accepted the conditions of the permit and shall comply with the conditions of the permit.”

General Permit Condition Number 5 states:

“By initiating construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.”

General Permit Condition Number 6 states:

“Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit; and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.”

15A NCAC 13B .0542(a) states:

“The owner or operator of a C&DLF unit must maintain and operate the facility in accordance with the operation plan prepared in accordance with this Rule. The operation plan must be submitted in accordance with Rule .0535 of this Section. Each phase of operation must be defined by an area which contains five years of disposal capacity. ”

The operation plan prepared in accordance with this Rule, “Operations Manual” revised January, 2011, states:

“2.6.3.1 Periodic Cover

At the completion of waste placement each week, a six (6)inch layer of earthen material or other material as approved by the DWM will be placed over the exposed waste. Cover will be placed sooner if the area of exposed waste exceeds one-half acre in size, or as necessary to control vectors, fire, odors, and blowing debris. The date and time of cover placement will be recorded by landfill employees.

2.6.3.2 Intermediate Cover

A 12 inch layer of soil cover should be placed on all waste surfaces that have not received waste in 30 days but are below final elevation. This intermediate cover should be seeded immediately and graded such that all precipitation run-off is channeled to the surface water systems.”

15A NCAC 13B .0542(f)(1) states:

“Except as provided in Subparagraph (3) of this Paragraph, the owners and operators of all C&DLF units must cover the solid waste with six inches of earthen material when the waste disposal area exceeds one-half acre and at least once weekly. Cover must be placed at more frequent intervals if necessary to control disease vectors, fires, odors, blowing litter, and scavenging. A notation of the date and time of the cover placement must be recorded in the operating record as specified in Paragraph (n) of this Rule. ”

15A NCAC 13B .0542(f)(2) states:

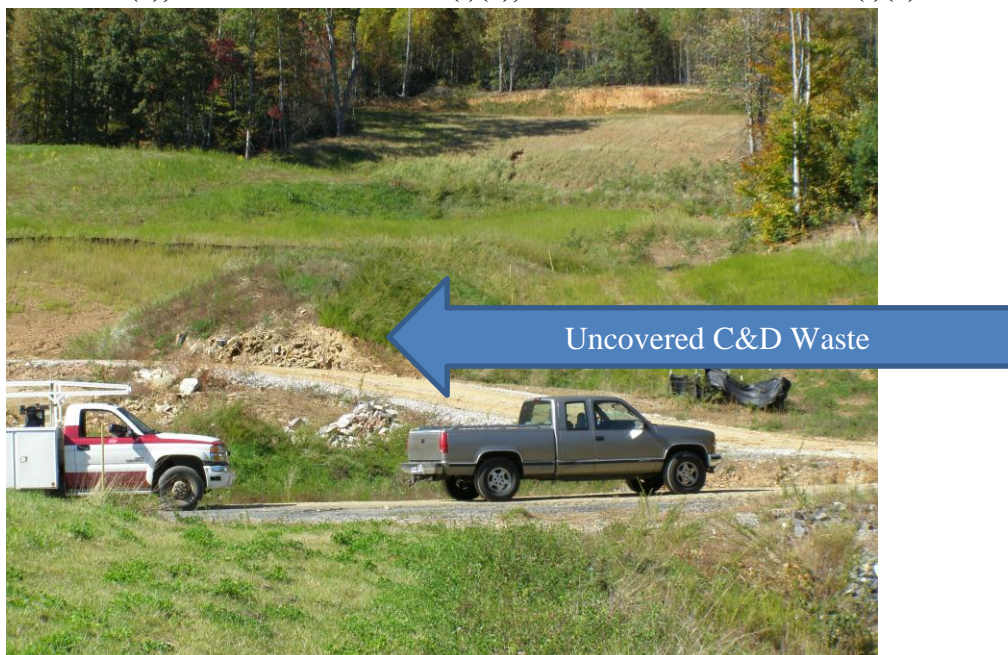
“ Except as provided in Subparagraph (3) of this Paragraph, areas which will not have additional wastes placed on them for three months or more, but where final termination of disposal operations has not occurred, must be covered and stabilized with vegetative ground cover or other stabilizing material.”

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On October 11, 2012, construction and demolition waste was observed exposed and uncovered in two locations in the Construction and Demolition Debris Landfill. The first area was located along the access road to the active cell. The access road was constructed over an inactive cell in Phase 2. The area of exposed and uncovered waste in this location measured approximately 5 feet high by 10 feet wide. The second area of exposed and uncovered waste was located at the edge of the active cell near the working face and the toe of the slope of the inactive cells in Phases 1 and 3. The exposed and uncovered waste in this location measured approximately 6 feet high by 20 feet wide. Facility staff acknowledged that these areas were uncovered for an unspecified period of time that exceeded one week. The first area and a portion of the second area of exposed and uncovered waste was located in areas which would not have had additional wastes placed on them for three months or more and final termination of disposal operations had not occurred, and, the waste was not stabilized with vegetative ground cover or other stabilizing material. **This constitutes violations of 15A NCAC 13B .0203(d) by failing to abide with General Permit Condition Number 5 and General Permit Condition Number 6, 15A NCAC 13B .0542(a) by failing to maintain and operate the facility in accordance with the operation plan prepared in accordance with this Rule, and 15A NCAC 13B .0542(f)(1) and 15A NCAC 13B .0542(f)(2) by failing to cover and stabilize waste in accordance with these Rules. To achieve compliance, all waste must be covered and stabilized in accordance with 15A NCAC 13B .0203(d), 15A NCAC 13B .0542(a), 15A NCAC 13B .0542(f)(1), and 15A NCAC 13B .0542(f)(2).**



Digital Photograph taken by Deb Aja on 10/11/2012 of the first area of exposed and uncovered waste described above.



Digital Photographs taken by Deb Aja on 10/11/2012 of the second area of exposed and uncovered waste described above.

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Public health and the environment can be compromised by failure to comply with these rules. Cover helps to prevent the interaction between the waste and the air, reducing odors, fire potential, and infiltration of precipitation and subsequent generation of leachate. Landfill fires can produce noxious atmospheric contaminants to the surrounding area.

The item(s) listed above were observed by Section staff and require action on behalf of the facility in order to come into or maintain compliance with the Statutes, Rules, and/or other regulatory requirements applicable to this facility. Be advised that pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or Order under Article 9 of Chapter 130A of the N.C. General Statutes. Further, the facility and/or all responsible parties may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

ADDITIONAL COMMENTS

Transfer Facility:

1. The Transfer Facility accepted a total of 11,842 tons of waste between 10/9/2011 and 10/11/2012.
2. There was no waste on the tipping floor at the time of the inspection. A trailer was parked in the loading bay. The small amount of waste observed in the trailer was what the facility was approved to receive.
3. The tipping floor had been cleaned. Cracks were visible throughout the tipping floor surface and there appeared to be extensive wear over the entire surface. There was no movement of broken concrete observed in the surface layer. However, leachate could become trapped in the cracks at the surface and potentially reach the base layers. Should the tipping floor base layer be compromised below the cracked surface it would be possible for leachate to be released underneath the building and outside the leachate collection system. **Any release of leachate outside of the collection system would be a violation of the Solid Waste Management Rules and could require corrective actions. The facility should schedule making repairs to the floor as quickly as possible to remain in compliance and to avoid potential expensive remediation.**



Digital Photograph taken by Deb Aja on 10/11/2012 of the transfer facility tipping floor.

4. Push walls at the edges of the tipping floor were protected with steel plates and showing signs of wear. Areas behind push walls were very clean.

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5. The interior walls of the transfer building were clean. It was stated that the walls were pressure washed in July, 2012.
6. The loading bay was free of debris. The sump area was not observed as the trailer was parked in the bay.
7. The area surrounding leachate storage tank (located outside of the transfer facility building) was cleared of vegetation for access. Since the previous inspection was conducted a cleanout was installed in the leachate line between the sump and the tank.
8. The transfer building exterior walls were maintained in good condition.
9. There was no windblown waste observed around the transfer building.
10. Glass, electronics, oil filters, scrap tires, and white goods were collected for recycling.
11. The white goods area was observed. It was stated that the facility was scheduling a pick-up of the white goods the week of October 15th. Appliances containing chlorofluorocarbon refrigerants were stored in an upright position to prevent the release of the refrigerants into the atmosphere. White goods are removed by Metal Recycling Services, LLC. The hauler collects the refrigerants when loading the white goods; 21 pounds of Freon was collected on 6/28/2012.
12. Scrap tires were stored in a trailer [U.S. Tire Recycling]. There were no tires stored on the ground.
13. Vectors were not observed during the inspection and appeared to be effectively controlled.

Construction and Demolition Debris Landfill:

14. The Construction and Demolition Debris Landfill accepted a total of 3,167 tons of waste between 10/9/2011 and 10/11/2012.
15. See the observed violations above for description of exposed and uncovered waste observed during the inspection.
16. The working face was restricted into the smallest area feasible.
17. The solid waste compacted as densely as practical into cells.
18. Windblown material resulting from the operation was not observed at the site.
19. Surface water was diverted from the operational area. There was no surface water impounded over or in waste.
20. Waste at the working face was placed in lifts. Please note that the Operations Manual [Waste Management and Disposal 2.6.3] states that the waste will be spread in 2 foot lifts.
21. It was stated that non-asbestos containing C&D waste at the working face was last covered on Tuesday October 9, 2012. The working face was less than one-half acre in size. [records for covering waste were not reviewed during this inspection].
22. There was no unacceptable waste observed in the landfill during the inspection. The waste was readily identifiable as construction and demolition waste and was not shredded, pulverized, or otherwise processed.
23. Asbestos containing waste was accepted the morning of the inspection [3 yards]. The facility has devised an effective method of documenting the location of asbestos containing wastes based on a survey grid. The waste was placed and covered as required by Rule and in the Operations Manual [Special Waste Management, 2.6.4].



Covered Asbestos Containing Waste

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Digital Photograph taken by Deb Aja on 10/11/2012 of the working face and asbestos disposal.

24. Edge-of-waste markers were present and visible.
25. The access roads were well maintained.
26. Vectors were not observed during the inspection and appeared to be effectively controlled.
27. Vegetation was successfully established in the lower section of Phase 2.
28. There was evidence of erosion in the intermediate cover over inactive cells in Phase I and Phase 3.
Vegetation needs to be re-established in these areas. It was stated that re-seeding was scheduled. **The Operations Manual [Environmental Management, 3.2.2] requires that intermediate cover that has been exposed for more than 30 days must be seeded immediately and repaired when erosion features are identified.**
29. The storm water control devices (sediment ponds, skimmers, storm water control ditches, etc.) were observed. The Operations Manual [Environmental Management, 3.2.2] requires that the on-site basin be inspected regularly for sediment build-up or erosion damage. **The basin should be cleaned out when sediment fills the lower half of the basin.** It was stated that the skimmer was operational. The basin below the closed portion of Phase 2 must also be cleaned out if sediment has filled the lower half of the basin. Please contact Kristin Hicklin, Assistant Regional Engineer, Land Quality Section at 828-296-4500 if you would like to discuss or have additional questions regarding erosion and sedimentation controls at the site.



View of sediment Basin 3.



View of Sediment Basin 4.

Digital Photographs taken by Deb Aja on 10/11/2012

Records Reviewed:

30. Operator Certification records:
 - Henry Norris, Jr.**, Certified Landfill Manager [MOLO] - Expires 8/24/2014
 - William (Eric) Foster**, Landfill Operations Specialist - Expires 6/22/2015
 - Robert J. Banner**, Landfill Operations Specialist – Expires 10/1/2013
 - Eric Shane Eggers**, Landfill Operations Specialist – Expires 4/27/2013
 - Finley Love, Jr.**, Transfer Station Operations Specialist – Expires 2/27/2015
 - Robert Woody**, Transfer Station Operations Specialist – Expires 10/19/2015
31. Waste Screening records were reviewed for the last quarter. The facility is required [Operations Plan 2.4.1] to screen at least one vehicle per week, but not less than 1% by weight of the waste stream entering the facility based on the previous week's total. A waste screening was conducted on between 3 and 4 loads per week delivered to the transfer facility and on approximately 1 out of every 10 loads delivered to the C&D landfill. Loads were screened randomly. To meet the minimum waste screening requirements a total of 2.48 tons per week needed to be screened based on tonnage records provided for the past 12 months. The average combined weight of C&D waste and MSW was 1.72 tons per load based on the records provided. The waste screening requirement appeared to be exceeded when reviewing the number of loads screened and annual tonnage records. However, it is recommended that the weight of screened loads be consistently documented on the facility waste screening forms to ensure that the tonnage screened is based on the previous week's tonnage as required. The final disposition of any unacceptable waste that was removed from loads during

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waste screenings was well documented.

32. Leachate pump and haul records were provided post-inspection. The transporter of the leachate is A-1 Appalachian Pumping, Inc. and the final disposition is the Waste Water Treatment Plant in Boone, N.C.
33. The facility collected 67.82 tons of tires in the past 12 months. Scrap Tire Hauler Forms are maintained at the Solid Waste Department Office and were not reviewed during the inspection.

Other:

34. The facility is approved for a mobile home deconstruction area. To date mobile home deconstruction has not commenced.
35. Environmental monitoring points will be observed in a follow-up inspection.
36. Signs providing information on disposal procedures, the hours during which the site is open for public use, the permit number and other pertinent information specified in the permit conditions were posted at the site entrance.
37. Facility operating hours are: Monday – Friday 8 a.m. – 4:30 p.m. and Saturday 9:00 a.m. - 1:00 p.m.
38. The facility is permitted to receive solid waste generated within the following counties: North Carolina – Avery, Burke, Caldwell, McDowell, Mitchell, Watauga; Tennessee – Carter, Johnson, and Unicoi.

Please contact me if you have any questions or concerns regarding this inspection report.



Deborah Aja
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Regional Representative
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Asheville Regional Office
2090 US Hwy 70
Swannanoa, NC 28778

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| Sent on October 25, 2012 to Robert Wiseman, County Manager, Avery County by: | X | Email: robert.wiseman@averycountync.gov | | Hand delivery | X | US Mail | X | Certified No. <u>7009 1680 0000</u> <u>7515 3516</u> |
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EC: Mark Poindexter, Field Operations Branch Supervisor
Jason Watkins, Western District Supervisor
Jessica Montie, Compliance Officer
Kristin Hicklin, Assistant Regional Engineer, Land Quality Section
Henry Norris, Solid Waste Director – Avery County